

# Exhibit 3

1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE EASTERN DISTRICT OF NEW JERSEY  
3                               -   -   -  
4

5           IN RE:   JOHNSON &                       :  
6           JOHNSON TALCUM POWDER               :  
7           PRODUCTS MARKETING,               :  
8           SALES PRACTICES, AND               :   NO. 16-2738  
9           PRODUCTS LIABILITY               :   (FW) (LHG)  
10          LITIGATION                       :  
11                               :  
12          THIS DOCUMENT RELATES           :  
13          TO ALL CASES                       :

14                               Volume II  
15                               -   -   -  
16

17                               June 29, 2018  
18                               -   -   -  
19

20                               Continued videotaped  
21          deposition of DONALD HICKS, taken  
22          pursuant to notice, was held at the law  
23          offices of Drinker Biddle & Reath, 105  
24          College Road East, Princeton, New Jersey,  
beginning at 9:31 a.m., on the above  
date, before Michelle L. Gray, a  
Registered Professional Reporter,  
Certified Shorthand Reporter, Certified  
Realtime Reporter, and Notary Public.

25                               -   -   -  
26                               GOLKOW LITIGATION SERVICES  
27                               877.370.3377 ph | 917.591.5672 fax  
28                               deps@golkow.com  
29  
30

<p style="text-align: right;">Page 369</p> <p>1 THE WITNESS: Not until this</p> <p>2 report issued.</p> <p>3 BY MR. BURNS:</p> <p>4 Q. And RJ Lee in this paragraph</p> <p>5 goes on to note that the status of the</p> <p>6 cores is unknown and further indicates</p> <p>7 that they apparently remain under the</p> <p>8 control of the consultant.</p> <p>9 Did you read this report at</p> <p>10 the time it was conveyed to J&amp;J?</p> <p>11 A. Yes, I did.</p> <p>12 MS. ECHTMAN: Objection to</p> <p>13 form and the preamble to the</p> <p>14 question. Go ahead.</p> <p>15 BY MR. BURNS:</p> <p>16 Q. Did you ask any questions</p> <p>17 about the status of the cores at that</p> <p>18 time?</p> <p>19 A. No, I did not. Having read</p> <p>20 this would seem unlikely that those core</p> <p>21 samples from the '60s would still be</p> <p>22 available, so it was not a cause for a</p> <p>23 concern.</p> <p>24 Q. Okay. There were also --</p>	<p style="text-align: right;">Page 371</p> <p>1 understanding.</p> <p>2 Q. Okay. And what is your</p> <p>3 understanding? You can go ahead, sir.</p> <p>4 A. My understanding is that</p> <p>5 the -- as the face of the mine is being</p> <p>6 worked, the ore is extracted. It is in</p> <p>7 larger rock form. It's crushed down to</p> <p>8 smaller rock sizes. And it is then hand</p> <p>9 sorted, which is actually very unique in</p> <p>10 the industry, where an individual</p> <p>11 actually looks at every single rock in</p> <p>12 their hand and sorts it by brightest</p> <p>13 color, that sort of thing.</p> <p>14 And then those sorted rocks</p> <p>15 are then pulled depending on the quantity</p> <p>16 that Imerys has ordered. And an ore lot</p> <p>17 is then identified based upon the</p> <p>18 quantity that's needed.</p> <p>19 Q. Okay. When you say ore lot,</p> <p>20 what do you mean?</p> <p>21 A. An ore lot is generally</p> <p>22 material taken from the mine roughly in</p> <p>23 the same time period. It is of a -- is a</p> <p>24 type of ore from the sorting process. So</p>
<p style="text-align: right;">Page 370</p> <p>1 there was also core samples from 1998 as</p> <p>2 well; is that right?</p> <p>3 A. That's what the report</p> <p>4 indicates, yes.</p> <p>5 Q. So just so I can be clear,</p> <p>6 did either J&amp;J or JJCI inquire as to the</p> <p>7 status or location of the cores after</p> <p>8 reading this report?</p> <p>9 A. They did not, no.</p> <p>10 Q. Now, we have earlier</p> <p>11 discussed that the lump ore that is mined</p> <p>12 at Guangxi is shipped to Houston, is that</p> <p>13 right?</p> <p>14 A. Yes, it is.</p> <p>15 Q. Okay. Is it correct then</p> <p>16 that J&amp;J does not obtain any milled</p> <p>17 product that was milled at the mine?</p> <p>18 A. That's correct.</p> <p>19 Q. Do you have a general</p> <p>20 understanding of how the ore itself</p> <p>21 becomes the lump ore that's shipped to</p> <p>22 Houston and is processed at the mine?</p> <p>23 A. Based on discussion with RJ</p> <p>24 Lee and Mark Zappa, yes, I have an</p>	<p style="text-align: right;">Page 372</p> <p>1 it would be the more bright white type of</p> <p>2 talc ore that would be pulled and</p> <p>3 segregated.</p> <p>4 Q. And is that the type of ore</p> <p>5 that is specified for use in the Baby</p> <p>6 Powder products of the defendants?</p> <p>7 A. It is.</p> <p>8 Q. Now, does all of that</p> <p>9 processing and sorting occur before --</p> <p>10 actually, let me just ask you this.</p> <p>11 Where does that sorting and processing</p> <p>12 occur?</p> <p>13 A. It occurs at the mine</p> <p>14 itself.</p> <p>15 Q. Okay. So that is before any</p> <p>16 product is transported to the mill; is</p> <p>17 that right?</p> <p>18 A. That's correct.</p> <p>19 Q. Okay. Now, asking</p> <p>20 specifically about the ore lot, the ore</p> <p>21 lots that are ultimately shipped to</p> <p>22 Houston to Imerys for use in J&amp;J</p> <p>23 products, are any of those lots ever</p> <p>24 shipped to the Guangxi mill before being</p>